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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hastings et al.

Application Serial No.: 09/037,460

Art Unit: 1646

Filed: March 10, 1998

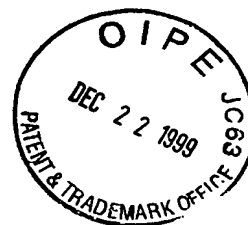
Examiner: Saoud, C.

For: Human Vascular IBP-Like Growth Factor
Polynucleotides (Amended)

Attorney Docket No.: PF147D1

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.56

Assistant Commissioner for Patents
Washington, D.C. 20231



S I R:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of an claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the references AA-AG listed on the attached form PTO 1449. A copy of references AA-AG is enclosed.

The references cited in the present supplemental IDS were brought to the attention of the Applicants in connection with a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement. A copy of the communication is also enclosed.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

As this Supplemental Information Disclosure Statement is being submitted after the mailing of a final office action under 37 C.F.R. § 1.113, pursuant to 37 C.F.R. § 1.97(d), the Patent and Trademark Office will consider the Statement if the Statement is accompanied by the certification specified in 37 C.F.R. § 1.97(e) and a petition requesting consideration of the Statement with the appropriate petition fee.

The undersigned certifies pursuant to 37 C.F.R. § 1.97(e) that each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Supplemental Information Disclosure Statement. In particular, the listed references were cited in an International Search Report mailed September 22, 1999, for a corresponding international application filed under the Patent Cooperation Treaty.

Additionally, pursuant to 37 C.F.R. § 1.97(d), submitted herewith is a Petition Requesting Consideration of Information Disclosure Statement Under 37 C.F.R. § 1.97(d)(2) with the required fee.

Applicants submit that the requirements for consideration of an Information Disclosure Statement after the mailing date of a final action have been met. Thus, Applicants respectfully request that the Examiner review the foregoing reference and that the reference be made of record in the file history of the subject application.

Respectfully submitted,

Dated: 12/22/99



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Enclosures
MW/CB/ur/lcc